

TWENTY-FOURTH DAY

(Monday, February 18, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Martin.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 14, 1957, was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on S. B. No. 96.

The House has appointed the following Conference Committee on S. B. No. 96: Latimer, Brashear, Slack, Ellis, Strickland.

The House has appointed the following Committee on S. C. R. No. 9: Walling and Saul.

S. B. No. 28, A bill to be entitled "An Act authorizing and directing the

Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to the State Highway Commission of Texas a right-of-way easement to certain land in Wilbarger County, Texas, for the reconstruction and maintenance of a State highway extending along or across certain State property known as Vernon State Hospital, Branch of Wichita Falls State Hospital; and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act relating to the construction, acquisition and equipment of buildings and other plant facilities by junior college districts; amending Chapter 25, Acts of the 54th Legislature, 1955, codified as Article 2815r-1 of Vernon's Texas Civil Statutes, by adding a new section to be designated as Section 5a, so as to further define and clarify the kinds of buildings and structures which may be constructed thereunder and the authority of the governing boards of the districts to charge fees for the use of buildings and other facilities; stating the effect of this Act on other laws; and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act authorizing the District Attorney of the 70th Judicial District to employ stenographers, assistants and investigators; prescribing their compensation, powers, duties, authority and method of employment; making other provisions relating thereto; providing a repealing clause; providing a severability clause and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act amending portions of Chapter 118, Acts of the 52nd Legislature, 1951, which is codified as Article 4528c of Vernon's Texas Civil Statutes and is sometimes known as the Vocational Nurse Act; amending Section 4, subdivision (c), by changing the title of 'Visiting Secretary' to 'Director of Training'; amending Section 4-A by renumbering as Section 4½ and by changing the composition of membership of the Board of Vocational Nurse Examiners, beginning in 1957; amending Section 5 by adding a provision permitting the Board to accept applications for examination who are domiciled in this State upon completion of two years of training in certain schools of professional nurse

training in lieu of the requirement for completion of an accredited course in an accredited school for training Vocational Nurses; amend Section 8 by changing the annual renewal fee to Two Dollars, in conformity with Section 9 as heretofore amended; amending Section 9, as amended, by changing the penalty for late annual renewal fee to Two Dollars; amending Section 10 by extending its provisions to include suspension of licenses as well as revocation of licenses; and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas, in consideration of certain benefits accruing and to accrue to the State, to convey to the United States of America certain land in Hidalgo County, Texas, for the construction thereon of a federal horticultural and soils laboratory building at no expense to the State of Texas; providing for reservation of all minerals to the State of Texas for the use and benefit of the Agricultural and Mechanical College of Texas; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 249, A bill to be entitled "An Act validating orders entered by county judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the officials of such cities, towns or villages, validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials and the acceptance of Title 28, Revised Civil Statutes as amended by such cities, towns and villages; providing that the officials named in such order constituted the officials of such city; validating bond elections held by such cities, towns and villages after entry of such order by the county judge; enacting other provisions relating to the subject; providing the Act shall not apply to any municipal-

ity the validity of which is involved in litigation; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Bradshaw:

S. B. No. 250, A bill to be entitled "An Act providing that no form of vaccination or inoculation shall be made a condition precedent for the admission of a person to any public or private school or college in this state, or for the exercise of any right, the performance of any duty, or the enjoyment of any privilege; and providing further that it shall be unlawful for any board, physician or person to compel another by the use of physical force to submit to the operation of vaccinations of any kind; and declaring an emergency."

To the Committee on Public Health.

By Senator Roberts:

S. B. No. 251, A bill to be entitled "An Act prohibiting certain acts of pollution of the waters of Lake Lavon, in Collin County, in such manner as is detrimental to fish therein and to persons fishing therein; providing a penalty for such acts; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Roberts:

S. B. No. 252, A bill to be entitled "An Act prohibiting littering upon certain public places, defining the offense, providing a penalty, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Lane:

S. B. No. 253, A bill to be entitled "An Act amending Art. 2135, Revised Civil Statutes of 1925, as amended, relating to exemptions from jury service; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Lane:

S. B. No. 254, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, heretofore incorporated or attempted to be incorporated under the General Laws of this State; validating the area and the boundary lines thereof; providing that this Act shall not apply to any city or town now in-

volved in litigation questioning the legality of the incorporation or any of the acts or proceedings hereby validated, if such litigation is ultimately determined against the legality thereof; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Smith:

S. B. No. 255, A bill to be entitled "An Act concerning the prescribed studies of the Texas Public Schools amending Article 2911 of the Revised Civil Statutes of Texas, 1925, as amended, removing exemptions provided for certain children whose religious beliefs are in conflict with certain prescribed courses; and declaring an emergency."

To the Committee on Education.

By Senators Smith and Ratliff:

S. B. No. 256, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution, comprising the territory contained within the cities of Spur, Crosbyton, Ralls and Post, to be known as the "White River Municipal Water District" and abolishing White River Water Control and Improvement District, for the purpose of providing a source of water supply for municipal, domestic, industrial, and mining uses and processing and transporting the same; providing for a board of directors to govern said district; providing for the annexation of additional territory thereto; authorizing the district to do all things to make available for the above-named uses water from surface sources and water it may obtain by purchase, lease, and operation contracts with persons, firms, corporations, and public agencies or the United States Government or any of its agencies; empowering the district to acquire land and construct, lease, or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting water for the above-named purposes; authorizing the district to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the district Title 52, Revised Civil Statutes, as amend-

ed, relating to eminent domain, and declaring the district to be a municipal corporation within the meaning of Article 3268 of Title 52; providing that the district shall bear the expense of relocation, raising, or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the district; enacting other provisions relating to the subject; providing that nothing in this Act shall be interpreted to repeal or amend Article 7471, Revised Civil Statutes of Texas; providing for severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senators Kazen, Owen, Hudson and Hardeman:

S. B. No. 257, A bill to be entitled "An Act amending Section 8 of Article I, Chapter 467, Acts of the 44th Legislature, Second Called Session, 1935 (codified as Article 666-8 of Vernon's Texas Penal Code), pertaining to liquor imports; amending Subsection (4) of Section 23a of Article I, Chapter 467, Acts of the 44th Legislature, Second Called Session, 1935, added by Section 31 of Chapter 448, Acts of the 45th Legislature, Regular Session, 1937 (codified as Article 666-23a(4) of Vernon's Texas Penal Code), pertaining to liquor imports; repealing laws in conflict; and declaring an emergency."

To the Committee on Jurisprudence.

(President in Chair.)

By Senators Aikin, Owen, Reagan, Smith, Wood, Roberts, Gonzalez, Bradshaw, Herring and Hudson:

S. J. R. No. 15, Proposing an amendment to Section 5 and 24 of Article III and Section 17 of Article IV of the Constitution of the State of Texas so as to provide for annual sessions of the Legislature and changing the compensation, per diem and travel expense of the Lieutenant Governor, the Speaker of the House of Representatives and the members of the Legislature; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

To the Committee on Constitutional Amendments.

Senate Resolution 138

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Texas History Class of the Navasota High School of Navasota, Grimes County, Texas, namely:

Misses Dorothy Boenker, Jane Brunson, Judy Beeler, Beth Cotharn, Carolyn Harris, Mary Macjewski, Patricia Stolz, Mary Thomas, Minette Wellman, and Messrs. Kenneth Brown, Seth Cotharn, Deanie McKay, and Maxie Ward accompanied by their sponsor, Mr. William Tyner; and

Whereas, The presence of these young people is evidence of their interest in better citizenship and governmental affairs; now, therefore, be it

Resolved, That the Senate of the State of Texas officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed and bearing the official seal of the Senate, be forwarded to each of them in appreciation of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students and sponsor to the Members of the Senate.

Senate Concurrent Resolution 30

Senator Weinert offered the following resolution:

S. C. R. No. 30, Enrolling Clerk to make certain corrections in S. C. R. No. 8.

Whereas, Senate Concurrent Resolution No. 8 granting S. F. Bowser Company, Inc., and its successors and assigns, permission to sue the State has passed both the Senate and the House and is in the Senate Enrolling Room; and

Whereas, The words "its successors and assigns" were inadvertently omitted in the amendment to such resolution; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring that:

The Enrolling Clerk of the Senate be instructed in enrolling such resolution as amended to insert the words "its successors and assigns" immedi-

ately after the name S. F. Bowser, Inc., in the amendment to Senate Concurrent Resolution No. 8.

The resolution was read.

On motion of Senator Weinert and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 139

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery the 7th Grade Class from Kealing Junior High School in Austin accompanied by Mrs. Selena Cash, their sponsor; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the Class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and their sponsor to the Members of the Senate.

Co-author of Senate Bill 256

Senator Ratliff asked unanimous consent to be shown as co-author of S. B. No. 256.

There was no objection offered.

Motion to Place H. B. No. 4 on Second Reading

Senator Hazlewood moved to suspend the regular order of business and take up H. B. No. 4 for consideration at this time. (The bill having been submitted as an emergency on February 7, 1957, by Governor Price Daniel.)

The motion failed of adoption by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Moffett
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Kazen	Rogers
Martin	Secrest

Nays—13

Bradshaw	Lock
Fly	Moore
Hardeman	Smith
Herring	Weinert
Hudson	Willis
Krueger	Wood
Lane	

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 18, Resolution for the Southern Community Gas Company to get gathering taxes.

S. C. R. No. 27, Inviting Hon. Prentice Cooper of Shelbyville, Tenn., to address a Joint Session at 11:30 a.m. on March 12, 1957.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee Report on Senate Bill 96

Senator Moffett submitted the following Conference Committee report on S. B. No. 96:

February 14, 1957.

Honorable Ben Ramsey, President of the Senate.

Honorable Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 96, have had the same under consideration and recommend to the Senate

and House of Representatives that it do pass in the attached form.

Respectfully submitted,

MOFFETT
MARTIN
HARDEMAN
KRUEGER
FULLER

On the part of the Senate.

LATIMER
BRASHEAR
SLACK
ELLIS
STRICKLAND

On the part of the House.

S. B. No. 96:

**A BILL
TO BE ENTITLED**

"An Act amending Chapter 318, Acts of the 51st Legislature, Regular Session, 1949, as amended by Chapter 324, Acts of the 52nd Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the 53rd Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the 54th Legislature, Regular Session, 1955; providing that the Veterans' Land Board shall be a State Agency; providing that the Commissioner of the General Land Office shall be Chairman of the Board and Administrator of the Veterans' Land Program; providing for the performance of duties and functions by the Chairman of the Board; providing the duties of the Veterans' Land Board; providing for the bonds of the citizen Board members; providing the compensation of the citizen Board members; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2 of Chapter 318, Acts of the 51st Legislature, Regular Session, 1949, as amended by Chapter 324, Acts of the 52nd Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the 53rd Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the 54th Legislature, Regular Session, 1955, be and the same is hereby amended so that it shall hereafter read as follows:

"Section 2. The Veterans' Land Board is hereby declared to be a State Agency for performing the governmental functions authorized in Section 49-b of Article III, as amend-

ed, of the Constitution of the State. The Commissioner of the General Land Office shall be Chairman of the Board and Administrator of the Veterans' Land Program, as provided by said Section 49-b of Article III as amended, and shall perform all duties and functions of the Board prescribed by law, except those prescribed in Section 2 (A) hereof, which shall be performed by the Veterans' Land Board as constituted."

Sec. 2. That Chapter 318, Acts of the 51st Legislature, Regular Session, 1949, as amended by Chapter 324, Acts of the 52nd Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the 53rd Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the 54th Legislature, Regular Session, 1955, be and the same is hereby amended by adding the following sections, to be known as Sections 2 (A), 2 (B) and 2 (C), to read as follows:

"Section 2 (A). **POWERS AND DUTIES OF THE VETERANS' LAND BOARD.** The duties of the Veterans' Land Board as created by Article III, Section 49-b of the Constitution as amended, shall be to authorize and execute negotiable bonds as provided by law; to provide by resolution for the use of the Veterans' Land Fund in such manner as to effectuate the intent of the Constitution and of the law; to fix the interest rates as prescribed by law; to provide for the forfeiture of contracts of sale and purchase and the resale of forfeited land; to conduct such investigations as it may deem necessary; and to formulate such policies, rules and regulations as may be necessary, not to conflict with the provisions of the law, to insure the proper administration of the law and to carry out the intent and purposes thereof.

"Section 2 (B). Each citizen Board member shall execute a bond payable to the state in the sum of Fifty Thousand Dollars (\$50,000.00) to be approved by the Governor and conditioned upon the faithful performance of his duties. The premiums on such bonds shall be paid out of the funds appropriated by the Legislature for the operation of the General Land Office.

"Section 2 (C). The compensation of each of the two citizen Board members shall be a salary at the rate of Three Thousand Six Hundred Dollars

(\$3,600.00) per annum, plus travel expenses, effective when said citizen members have qualified under the bond prescribed in Section 2 (B)."

Sec. 3. The need for clarification of the duties of the members of the Veterans' Land Board as created by the Constitution, as amended, and the fact that the Constitution does not prescribe the bonds or salaries of the citizen Board members create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and the same is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—28

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Willis
Lock	Wood

Nays—1

Fly

Absent

Hudson

Weinert

Senate Bill 230 on Second Reading

Senator Parkhouse moved that the regular order and Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 230 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Fly
Ashley	Fuller
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring

Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent

Gonzalez	Lock
Hudson	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 230, A bill to be entitled "An Act authorizing the issuance of refunding bonds by school districts and containing provisions relating to such bonds; validating all refunding bonds heretofore issued by school districts and approved by the Attorney General of Texas; providing that all bonds issued by school districts, after they have been approved by Attorney General and registered by Comptroller of Public Accounts, shall be incontestable except for forgery or fraud; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 230 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 230 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fly	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

Absent

Fuller	Hudson
Gonzalez	Lock

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Absent

Gonzalez	Lock
Hudson	

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following bills and resolutions:

S. B. No. 109, A bill to be entitled "An Act relating to pensions of policemen, firemen, and fire-alarm operators, in cities having a population of more than 350,000 and less than 430,000 inhabitants, according to the last preceding Federal census; amending Sections 7 and 8, of Chapter 105, page 134, Acts of Forty-seventh Legislature, 1941, as amended (commonly referred to as Vernon's Texas Civil Statutes, Article 6243f); amending Section 7, thereby changing the manner, method and requirements of eligibility and participation in said pension fund; by amending Section 8, by providing from and after January 1, 1959, for the compulsory retirement of members of pension fund at age 65, with 30 years service and 30 years of pension fund contribution, and providing for loss of pension and benefits upon service after age of 65; and declaring an emergency."

S. B. No. 58, A bill to be entitled

"An Act relating to the salaries of all state officers except the salaries and other compensation of District Judges; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals out of the fees of office; specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act ratifying and validating an election heretofore held in and throughout Jefferson County, Texas, upon the question of authorizing the issuance of \$10,400,000 road bonds of said County and levying a tax in payment thereof; ratifying and validating the petition for such election, the order calling such election and the notice thereof, the ballots used thereat, and all other orders passed by the Commissioners' Court of said County in respect thereto, including the order declaring the result of said election; authorizing the Commissioners' Court and proper officers of Jefferson County to complete the issuance of such bonds; authorizing the Commissioners' Court and officers of said County to levy, assess and collect annually a general ad valorem tax upon all taxable property in said County sufficient to pay the interest on the said bonds and the principal thereof as they mature; declaring this Act to be for the further maintenance of roads; declaring intention as to other laws relating to streets; and declaring an emergency."

S. C. R. No. 12, Granting Midway Gas Company permission to sue the State of Texas.

S. C. R. No. 16, Continuing the existence of the Harris County Home Rule Commission.

S. C. R. No. 5, Authorizing B. F. Clark and Wife, Winnie Mae Clark, to sue the State of Texas.

Senate Bill 163 on Second Reading

Senator Rogers moved that the regular order and Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 163 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Hudson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 163, A bill to be entitled "An Act amending Section 13 of Chapter 35, Acts of the 53rd Legislature, First Called Session, 1954, relating to the Green Belt Municipal and Industrial Water Authority so as to provide for the exclusion of member cities under certain conditions; providing for the annexation of such territory to the Authority; making other provisions relating to the operation of the Green Belt Municipal and Industrial Water Authority; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 163 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 163 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Kazen

Krueger
Lane
Lock
Martin
Moffett
Moore
Owen
Parkhouse
Phillips

Ratliff
Reagan
Roberts
Rogers
Secrest
Smith
Weinert
Willis
Wood

Absent

Hudson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin
Ashley
Bracewell
Bradshaw
Colson
Fly
Fuller
Gonzalez
Hardeman
Hazlewood
Herring
Kazen
Krueger
Lane
Lock

Martin
Moffett
Moore
Owen
Parkhouse
Phillips
Ratliff
Reagan
Roberts
Rogers
Secrest
Smith
Weinert
Willis
Wood

Absent

Hudson

Senate Bill 86 on Second Reading

Senator Martin moved that the regular order and Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 86 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin
Ashley
Bracewell
Bradshaw
Colson
Fly
Fuller
Gonzalez
Hardeman
Hazlewood
Herring

Kazen
Krueger
Lane
Lock
Martin
Moffett
Moore
Owen
Parkhouse
Phillips
Ratliff

Reagan
Roberts
Rogers
Secrest

Smith
Weinert
Willis
Wood

Absent

Hudson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 156, Acts of the 40th Legislature, Regular Session, 1927 (Article 200a, Vernon's Texas Civil Statutes), relating to administrative judicial districts, by adding thereto a section to be known as Section 5a, providing in case of assignment it shall be the duty of the district judge to serve, unless for good cause he is excused; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 86 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin
Ashley
Bracewell
Bradshaw
Colson
Fly
Fuller
Gonzalez
Hardeman
Hazlewood
Herring
Hudson
Kazen
Krueger
Lane
Lock

Martin
Moffett
Moore
Owen
Parkhouse
Phillips
Ratliff
Reagan
Roberts
Rogers
Secrest
Smith
Weinert
Willis
Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin

Ashley

Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood
Martin	

Senate Resolution 140

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery 35 pupils of the Civics Class of San Marcos High School in Hays County accompanied by Mr. Thomas Yoakum; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and Mr. Yoakum to the Members of the Senate.

Committee Substitute Senate Bill 30 on Second Reading

Senator Willis moved that the regular order and Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that C. S. S. B. No. 30 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bracewell
Ashley	Bradshaw

Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Martin	Wood
Moffett	

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 30, A bill to be entitled "An Act amending Section 1 of Chapter 599, Acts of the 51st Legislature, Regular Session, 1949 (Article 489c of Vernon's Texas Penal Code), relating to the felony offense of possession of certain types of firearms by persons convicted of certain felony offenses; providing for severability; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 30 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. J. R. No. 1, to the Committee on Constitutional Amendments.

H. C. R. No. 18, to the Committee on Jurisprudence.

H. C. R. No. 23, to the Committee on Jurisprudence.

H. B. No. 52, to the Committee on Privileges and Elections.

H. B. No. 143, to the Committee on Privileges and Elections.

H. B. No. 173, to the Committee on Agriculture and Livestock.

H. B. No. 181, to the Committee on Game and Fish.

H. B. No. 241, to the Committee on Game and Fish.

H. B. No. 221, to the Committee on Water and Conservation.

H. B. No. 382, to the Committee on State Affairs.

H. B. No. 242, to the Committee on Privileges and Elections.

H. B. No. 99, to the Committee on Public Health.

H. B. No. 160, to the Committee on State Affairs.

Notice of Executive Session

Senator Lock gave notice that he would on tomorrow ask unanimous consent for an Executive Session.

Adjournment

On motion of Senator Hardeman the Senate at 11:58 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Reverend J. J. Creed

Senator Willis offered the following resolution:

(Senate Resolution 136)

Whereas, on December 6, 1955, a long and fruitful life of devoted christian service came to an end in the passing of the Reverend J. J. Creed, born in Lamar County, Texas; and

Whereas, His forty-seven years in the ministry of the Methodist Church began in Fort Worth in 1901 when he was assigned as pastor of the Boulevard Methodist Church, immediately following his graduation from Polytechnic College;

Whereas, After serving as pastor of other churches in Fort Worth and in Waco, Taylor, Stephenville, Coolidge, Handley and other towns, he closed his service in Fort Worth as minister of the Englewood Methodist Church, his twenty-first church, from which he delivered his last sermon in October, 1946; and

Whereas, The Reverend Creed for thirty-six years was either President or Secretary of the Conference Board of Church Extensions for the Central Texas Conference, was also Conference Secretary of Missions and served as Supply Pastor after his retirement; and

Whereas, It is well for us to pause and pay tribute to a man who contributed so much for so many years to his church, community and state; now, therefore, be it

Resolved, By the Senate of the Fifty-fifth Legislature of Texas that the respect and admiration of this body be expressed hereby; and be it further

Resolved, That the sympathy of the members of the Senate be extended to his family, his wife, sons, daughters, sisters, eleven grandchildren and four great-grandchildren, and that copies of this resolution be sent to his wife, to his sons, John J. Creed, Jr., Beuford Creed, David Creed and Stephen Creed, all of Fort Worth, and James Gordon Creed of Los Angeles; and his three daughters, Mrs. R. C. Knight of Fort Worth, Miss Ruth Creed of Houston and Mrs. Helen Feichtman of Los Angeles.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of Honorable S. J. Isaacks

Senator Owen offered the following resolution:

(Senate Resolution 137)

Whereas, On the 29th day of October 1956, the Honorable S. J. Isaacks, distinguished as a jurist and a statesman and highly esteemed among his fellowmen, seasoned with wisdom gained through his long and useful years of Christian labor, answered that final call of our Heavenly Father, who in his wisdom beckoned unto Judge Isaacks that he might have his eternal reward; and

Whereas, When Judge Isaacks had passed from this mortal existence at the age of eighty seven years, his many accomplishments during an enviable career as one of Texas' most devoted and able sons, he has left an indelible impression upon the pages of our history, and his morality in government has set a high standard of principles for those who came after him, and

Whereas, A chronology of Judge Isaacks' life would be self descriptive of the charmed substance of this honorable man, let us recall that he was born February 18, 1869 in Bell County of pioneer parents and family who enjoyed a heritage and tradition of adding pages to the history of the State of Texas. His grandfather, Samuel Isaacks, appears as one of the original three hundred members of the Stephen F. Austin Colony of 1831, then under the Mexican Flag. His great-grandfather Elijah Isaacks, was a member of the group who met for the purpose of making a reality of an idealistic hope in the Texas Convention of 1832. Judge Isaacks held within himself an everburning desire to serve his State and his fellowman. He was reared as a farm boy in Bell and Travis Counties where he then married Minnie Willard Rutledge, the daughter of Edward Armstrong Rutledge and Mary Frances Young of Cedar Park, Texas, and in very early manhood moved to Bastrop County where he became a school teacher. His undertaking was a tremendous one but his ambition drove him ever onward. He studied law at nights and was admitted to the Bar of the State of Texas in 1900 while serving as the first secretary of the City of Elgin. In 1902, Judge Isaacks was elected to his first term, the beginning of service in the Legislature of the State of Texas which was to extend over a full one half century. He and his wife had born to them seven children: E. Buford Isaacks of Cleburne, Texas, Rutledge Isaacks and William Isaacks, both of El Paso, Texas, Jack Isaacks, deceased, Miss Maud Isaacks of El Paso, Texas, who succeeded her father and is still a member of the Texas House of Representatives, where she ably and honorably carries on the tradition of service to the people and State of Texas. Mrs. W. K. Johnston and Mrs. George T. Foster, both of El Paso, Texas, five grandchildren and nine great-grandchildren. In 1905 Judge Isaacks moved to Midland and there became that city's first mayor. After four years, Judge Isaacks received an appointment, as judge, from Governor Thomas M. Campbell to the 70th Judicial District at Pecos. He was re-elected twice to that position but in 1916 resigned, and moved to El Paso, in order to engage in private practice of law. His public service was only beginning, for there he served as a member of the El Paso Independent School District from 1921 until 1923, and in 1938 Judge Isaacks returned to the Legislature to begin the first term in the final chapter that has just recently closed. While in the Legislature, he served with distinction as Chairman of the House Judiciary Committee and served in such position longer than any other member in the history of the State. He was recognized as the Dean of the House, and will be remembered quite reverently as a man of compassion, understanding and reason. The legislation in which he exerted great influence is known to all of us and is too numerous to re-state, but it will be remembered for its benefit to posterity, and

Whereas, It is not for us to question God's infinite wisdom in the occurrence of events such at this, but only to give him thanks for his graciousness in extending the privilege of associating with men such as Judge S. J. Isaacks; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we do upon the passage of this Resolution pay our humble tribute to the spirit of selfless service and memory of Judge Isaacks; and be it further

Resolved, That the memory of this, our fellowman, an example of Morality, Christianity and Statesmanship, be here noted, and that when the Senate adjourns today, upon the anniversary of the eighty-eighth birthday of Judge S. J. Isaacks, that it do so in honor of Judge S. J. Isaacks, and that a copy of this Resolution be, together with the respect and esteem of the Senate, forwarded to the members of his family.

OWEN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen Krueger, Lane, Lock, Martin, Moffett, Moore, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate